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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,451	07/21/2003	Fridtjov Johansen	JOHANSEN-3A	5240
7590	04/01/2005		EXAMINER	
BROWDY AND NEIMARK, P.L.L.C. SUITE 300 624 NINTH STREET, N.W. WASHINGTON, DC 20001-5303			LECHERT JR, STEPHEN J	
			ART UNIT	PAPER NUMBER
			1732	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

r/

Office Action Summary	Application No.	Applicant(s)
	10/622,451	JOHANSEN, FRIDTJOV
	Examiner	Art Unit
	Stephen J. Lechert Jr.	1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 January 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 is/are rejected.
- 7) Claim(s) 2-12 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 July 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7-21 and 10/28/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

1. Claim 5 is objected to because of the following informalities: In claim 5, “polyster” should be --polyester--. Appropriate correction is required.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, applicant recites providing recycled clothes and/or fabric remnants as raw material, applicant is suggested to change the recital “raw material” to --starting material-- because the step could be interpreted that the recycled clothes and/or fabric remnants are processed into elemental cotton and/or other fibers. Applicant is suggested to note and correct all instances where “raw material” is used throughout the claims. Also, it is unclear what applicant means by “fibrous shoddy” from the dictionary, “shoddy” means “inferior quality, cheaply imitative, etc.” therefore it is unclear what is meant by fibrous shoddy, does applicant mean that the fibers are all different lengths and sizes from shredding? Suitable explanation is required.

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3. Claims 2-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Horton, Fourmeux both teach methods of making insulation from used cloth materials, but neither reference teach the particular steps nor the additional ingredients of flax and polyester fibers to the used cloth materials to make the insulation as claimed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Lechert Jr. whose telephone number is 571-272-1203. The examiner can normally be reached on 9:30-6:00.

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**If attempts to reach the examiner by telephone are unsuccessful,
the examiner's supervisor, Michael P. Colaianni can be reached on
571-272-1196. The fax phone number for the organization where this
application or proceeding is assigned is 703-872-9306.**

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obtained from the Patent Application Information Retrieval (PAIR)
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direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private
PAIR system, contact the Electronic Business Center (EBC) at 866-
217-9197 (toll-free).**

Stephen J. Lechert Jr.
Stephen J. Lechert Jr.
Primary Examiner
Art Unit 1732